REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

The specification has been amended to overcome the objection applied thereto. No new matter is believed to be introduced by the amendment.

Claims 1-4 and 10 have been amended. Support for the amendments is provided, for example, in Fig. 5B and paragraphs [0077]-[0086] of Applicant's published specification. (It should be noted that references herein to the specification and drawings are for illustrative purposes only and are not intended to limit the scope of the invention to the referenced embodiments.)

Claims 1, 2, and 10 were rejected, under 35 USC §103(a), as being unpatentable over Li et al. (US 6,904,283) in view of Wesel et al. (US 6,125,150). Claim 3 was rejected, under 35 USC §103(a), as being unpatentable over Li in view of Wesel and Brink et al. (US 6,038,450). Claim 4 was rejected, under 35 USC §103(a), as being unpatentable over Li in view of Wesel and Todd (US 5,357,284). To the extent that these rejections may be deemed applicable to the amended claims, the Applicant respectfully traverses as follows.

Claim 1 now defines a multicarrier communication apparatus that controls a combined transmission power of a subcarrier group by evenly distributing a power control amount to each subcarrier of the subcarrier group. The power control amount corresponds to a difference between the combined receive power for the subcarrier group at a remote communication station and a desired target receive power. The claimed subject matter provides the advantages of reducing the range of fluctuation of required transmission power and reducing the amount of

feedback required for converging the actual and desired reception power for a group of subcarriers (see paragraph [0087] of Applicant's published specification).

The Office Action proposes that Li discloses the Applicant's claimed subject matter of controlling the transmission power of a subcarrier group according to a difference between the combined receive power for the subcarrier group and a desired target level (see Office Action page 4, lines 1-3 of third paragraph). To support this position, the Office Action proposes that Li discloses calculating a power difference between a subcarrier cluster receive power and a desired target level (see page 4, lines 3-7 of third paragraph).

Although Li may disclose calculating a power difference, as proposed in the Office Action, Li does not disclose controlling transmission power according to this calculated power difference. Instead, as acknowledged in the Office Action, Li discloses ordering and selecting clusters based on the calculated power difference (see Office Action page 4, lines 2-3, and Li col. 9, lines 63-67). Nowhere does Li disclose the Applicant's claimed subject matter of controlling transmission power according to a power difference; and the Office Action cites nothing in Li to the contrary. Wesel is not cited in the Office Action for supplementing the teachings of Li in this regard.

Moreover, because Li and Wesel do not disclose the Applicant's claimed subject matter of controlling transmission power according to a power difference, it necessarily follows *per force* that Li and Wesel cannot disclose evenly distributing a power control amount for controlling the transmission power according to a power difference. As recited in Applicant's claim 1, the power control amount increases or decreases the combined transmission power of a subcarrier group. Although the Office Action proposes that Wesel discloses distributing power evenly to each

subcarrier of a subcarrier group (see Office Action page 5, lines 1-2), the Office Action does not propose that the power distributed by Wesel's system corresponds to a power difference or that such distributed power increases or decreases transmission power.

Accordingly, the Applicant submits that the teachings of Li and Wesel, even if combined as proposed in the Office Action, still would lack the above-noted feature of claim 1 and thus these references, considered individually or in combination, do not render obvious the subject matter now defined by claim 1. Independent claim 10 now similarly recites the above-mentioned subject matter distinguishing apparatus claim 1 from the applied references, but does so with respect to a method. Therefore, allowance of claims 1 and 10 and all claims dependent therefrom is warranted.

Moreover, claim 4 further limits the subject matter of claim 1 by reciting that an in-phase symbol component or an orthogonal symbol component is substituted between transmission symbols and, thereafter, the symbol is superimposed with the subcarrier group. The Office Action acknowledges that Li and Wesel do not disclose this subject matter (see Office Action page 7, second to last paragraph), but proposes that Todd discloses it (see paragraph bridging pages 7 and 8). More specifically, the Office Action proposes that Todd discloses interleaving alternate bits from I and Q data streams to form a single output bit stream for transmission (see page 8, lines 3-5).

Although Todd may disclose interleaving alternate bits from I and Q data streams to form a single output bit stream for transmission as a bit stream, as proposed in the Office Action, Todd does not disclose that the interleaved bits of the single bit stream are used to generate symbols or that such generated symbols are superimposed on subcarriers. Simply put, Todd does not

disclose substituting: (1) the in-phase component of a symbol for that of another symbol or (2) the quadrature component of a symbol for that of another symbol and then superimposing such modified symbol with a subcarrier group. Therefore, allowance of claim 4 is deemed to be warranted for this independent reason.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

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JEL/DWW/att

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